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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/341,207	07/07/1999	FRIEDBERT CRUSIUS	P99.1248	4875

7590 10/23/2003

SCHIFF HARDIN & WAITE
Patent Department
6600 Sears Tower
Chicago, IL 60606-6473

EXAMINER

YUAN, ALMARI ROMERO

ART UNIT PAPER NUMBER

2176

DATE MAILED: 10/23/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

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Interview Summary

Application No.

09/341,207

Applicant(s)

CRUSIUS, FRIEDBERT

Examiner

Almari Yuan

Art Unit

2176

All participants (applicant, applicant's representative, PTO personnel):

(1) Almari Yuan, USPTO.

(3) Mr. Mark Bergner, #45877.

(2) Stephen Hong, USPTO.

(4) _____.

Date of Interview: 21 October 2003.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.
If Yes, brief description: Faxed copy of an Agenda.

Claim(s) discussed: 1.

Identification of prior art discussed: Troung (US 6,151,609).


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant discussed the differences between the claimed invention and Troung. Applicant has agreed to amend claim 1 to clarify the claim language "reference information" which contains indexing information to individual data records. Further search and reconsideration will be needed.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 10/21/03
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

FACSIMILE TRANSMITTAL SHEET
SCHIFF HARDIN & WAITE

A Partnership Including Professional Corporations
6600 Sears Tower, Chicago, Illinois 60606-6473 (312) 258-5500
Facsimile: (312) 258-5700 World Wide Web: <http://www.schiffhardin.com>

CLIENT/MATTER NO.: 26965-1316

DATE: Friday, October 17, 2003 10:55:40 AM

TO THE FOLLOWING:

NAME: Examiner Yuan

COMPANY: USPTO

FACSIMILE NO.: 1 703 746 9228

COMPANY NO. _____

FROM: Mark Bergner

DIRECT DIAL NO.: 312.258.5779

Transmission consists of cover sheet plus 01 page(s).

If there are any problems with this transmission, please call 312.258.5779

COMMENTS:

Interview discussion points for 09/341,207

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMAL / DRAFT
TELEPHONE INTERVIEW DISCUSSION POINTS

APPLICANT:	Friedbert CRUSIUS	DOCKET NO:	P99,1248
SERIAL NO.:	09/341,207	ART UNIT:	2176
FILED:	July 7, 1999	EXAMINER:	Yuan (formerly A. Romero)
		Confirmation No.	4875

TITLE: METHOD FOR GENERATING A GROUP OF PAGE FILES FORMATTED IN A PAGE MARKUP LANGUAGE

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Dear Examiner Yuan:

Thank you very much for agreeing to a telephone interview in the above identified case on October 21, 2003 at 2:00 EDT, which is currently under a final rejection based on the Final Office Action (OA), dated July 2, 2003. We are currently
10 unclear as to the bases for a number of the rejections cited in the OA, and would like to get clarification as to the following matters.

We notice that throughout the OA, the present invention's "reference information" is consistently equated to a "filename" in Truong. We do not see how this is possible, since the present invention indicates that the reference information is about data records of data record-structured files. A filename references an entire file, not data records within data record-
15 structured files. We hope to clarify this distinction in our discussion.

We also note that the first claim 1 element refers to "drawing up" a data record-structured author file, which is equated in the OA with an editing function. Although the claim language may be a bit awkward, it is used in the sense of authoring, producing, or creating, which is not done in the Truong reference (Truong only deals with editing existing documents). Perhaps we could amend claim 1 to better draw out the distinction.

20 You indicated (OA, p. 7, 10(A)) that the format generator producing a page file is taught by Truong because a web browser receives information in HTML and displays the information to the client. We are having a difficult time determining how producing a "display" is equated to producing a "file", particularly when the next step of claim 1 generates a link control address addressing the "page file".

I think in general, we are rather confused about how you are equating each of the elements in the present claim 1 with
25 the elements disclosed by Truong. Perhaps we can discuss what each element of claim 1 lines up with in Truong during our discussion.

Again, thank you for your time, consideration, and willingness to conduct the interview.

Sincerely,

30

(Reg. No. 45,877)

Mark Bergner
Schiff Hardin & Waite, 6600 Sears Tower, 233 South Wacker Drive, Chicago, Illinois
60606-6473, (312) 258-5779, Attorneys for Applicant

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INFORMAL-INTERVIEW DISCUSSION POINTS